

**DIRECTORS' MEETING**  
**MONDAY, DECEMBER 4, 2000 - 11:00 A.M.**  
**CONFERENCE ROOM 113**

**I. MAYOR**

- \*1. "WASHINGTON REPORT" - by Chris Giglio - November 17, 2000 (Council copies placed in their file folders on 11/20/00)(Copy on this Report is on file in the City Council Office).
- \*2. NEWS RELEASE - RE: Mayor's Awards Of Excellence Presented (See Release).
- \*3. Memo from Ann Harrell - RE: CDBG funds availability (See Memo).
- 4. NEWS RELEASE - RE: Retailers Offer Flyers on Holiday Tree Recycling (See Release).
- 5. NEWS RELEASE - RE: Separation Of Yard Waste Ends December 1<sup>st</sup> (See Release).
- 6. NEWS ADVISORY - RE: Mayor Don Wesely will have a news conference at 2:00 p.m. Thursday, November 30<sup>th</sup> in Room 113 - The Mayor will discuss developments related to the proposed project at 70<sup>th</sup> Street & Highway 2 (See Release).

**II. CITY CLERK**

- \*1. Letter from Mark & Sonia Becher - brought over to Council Office by Deputy City Clerk Joan Ross on 11/21/00 - RE: Sidewalk Public Hearing Notice - property 1<sup>st</sup> ADD TO WEST LINCOLN BLOCK 31 LOTS 4, 5, & 6 EX STREET & N1/2 VAC ALLEY ADJ at 1025 W. Dawes Avenue has a small rental house on it — 00R-296 (See Letter).
- \*2. E-Mail from George Mechling, Principal, Wilderness Park Estate Development Company, LLC. - brought over to Council Office by Deputy City Clerk Joan Ross on 11/21/00 – RE: Respectfully request that the City Council's further consideration of Items 00-209, 99-93, 00R-308, and 00R-309 be delayed until January 8, 2001 (See E-Mail).
- 3. Letter from Jennifer Chapman - brought over to Council Office by Deputy City Clerk Joan Ross on 11/29/00 - RE: Opposed to sidewalks built on the west and east sides of 38<sup>th</sup> Street from A to D Street (See Letter).

### III. CORRESPONDENCE

#### A. COUNCIL REQUESTS

##### COLEEN SENG

1. OUTSTANDING Request to **Public Works Department** - RE: Gravel for alley - 4227 Madison Avenue (RFI#829 - 11/13/00)
2. OUTSTANDING Request to **Planning Department/Public Works Department** - RE: Does the City need to change the name of one of these "56" streets? (RFI#830 - 11/16/00)
3. Received Response from Doug Srb, LPD regarding RFI#822 - RE: Complaint about junk or unlicensed vehicles at 2311 N. 56<sup>th</sup> Street (RFI#822-11/30/00)

##### ANNETTE McROY

1. OUTSTANDING Request to **Law Department** - RE: Cars & Trucks driving on City streets that operate hydraulics systems (RFI#45 -5/05/00)
2. OUTSTANDING Request to **Public Works & Utilities Department** - RE: The alley that runs 27<sup>th</sup> to 29<sup>th</sup>, Vine to Pear - the high volume of traffic (RFI#60 - 11/02/00)
3. OUTSTANDING Request to **Public Works & Utilities Department** - RE: The smell from the Terresa Street Sewage Plant along 27<sup>th</sup> & Cornhusker is really bad (RFI#61 - 11/16/00)
4. OUTSTANDING Request to LPD, Chief Casady/ **Law Department** - RE: To have bikes picked up by Police given to them for repairs and give away if no one claims them (RFI#62 - 11/16/00) — **1.) SEE RESPONSE FROM ASSISTANT CHIEF JIM PESCHONG, LPD RECEIVED ON RFI#62-11/20/00**

##### JON CAMP

1. OUTSTANDING Request to **Dana Roper, City Attorney** - RE: EMS Outside Consultants/Attorneys (RFI#51 - 9/28/00)
2. OUTSTANDING Request to the **Public Works & Utilities Department** - RE: Turning lanes - 10<sup>th</sup> at "Q" & 9<sup>th</sup> at "P" (RFI#54 - 11/07/00)
3. OUTSTANDING Request to **Public Works & Utilities Department** - RE: To pave 7<sup>th</sup> Street from "O" Street south to "N" Street (RFI#55 - 11/16/00)

4. Letter from Jon Camp to Gary Danek, Pioneer/Mar-Ma-Ra-Lo Heights Home Owners Association Richard Speidell - RE: Development Issues (See Letter).

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **FINANCE**

1. Material from Don Herz - RE: Resolution & Finance/Treasurer of Lincoln, NE - Investments Purchased Beginning - November 27, 2000.

### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Safety Around Squirrels and Other Wild Animals (See Release).
2. NEWS RELEASE - RE: Winter Shelter For Animals (See Release).

### **LIBRARY**

- \*1. Memo to Library Board from P.E. Jones RE: Recap of Expenditures-September, 2000.
- \*2. October, 2000 - Director's Report.
3. NEWS RELEASE - RE: Library Adds Access To E-Books (See Release).

### **PLANNING**

- \*1. Memo from Jean Walker - RE: Comprehensive Plan Amendment No. 94-52 (00R-317) - Annexation No. 00001 (00-212) - Change of Zone No. 3248 (00-213) - Special Permit No. 1833, Ashley Heights CUP (00R-318) - Preliminary Plat No. 00005, Ashley Heights (00R-319) - (N.W. 48<sup>th</sup> & W. Adams Street) (See Memo).
- \*2. Planning Commission Agenda Item Map of November 29, 2000
3. Material from Allan Abbott, Kathleen Sellman - RE: Infrastructure Financing Study Summary (Material for the Pre-Council Meeting scheduled for 12/4/00 at 10:30 a.m.) (Council copies placed in their Thursday packets on 11/30/00) (Copy of this material is on file in the City Council Office).

### **PLANNING COMMISSION FINAL ACTION .....**

- \*1. Special Permit No. 1878 (Personal wireless facility - So. 16<sup>th</sup> Street and Windhoek Drive) Resolution No. PC-00649.

- \*2. Special Permit No. 1875 (Personal Wireless Facility - 52<sup>nd</sup> & Cooper Avenue) Resolution No. PC-00645.
- \*3. Special Permit No. 1885 (Scrap metal processing - 5510 N.W. 39<sup>th</sup> Street) Resolution No. PC-00645.
- \*4. Final Plat No. 00034 - South Street Business Park Addition (South Folsom and West South Street) Resolution No. PC-00648.
- \*5. Final Plat No. 99053 - Northern Lights 8<sup>th</sup> Addition (North 80<sup>th</sup> & Holdrege) Resolution No. PC-00647.

## **PUBLIC WORKS & UTILITIES DEPARTMENT**

- 1. Letter from Scott Opfer to Michael Carpenter, President, Lincoln Haymarket Development Corporation - RE: Request for “4-Way Stop” signs at 8<sup>th</sup> & “P” Street (See Letter).

### **C. MISCELLANEOUS**

- \*1. 44 Post Cards - RE: In Support of Home Depot development at 70<sup>th</sup> & Highway 2 (See Post Cards).
- \*2. 12 Format Letters - RE: In Support of the proposed Ashley Heights development at NW 48<sup>th</sup> & West Huntington (See Letters).
- \*3. Letter from Terry Zimmerman - RE: The proposal for Home Depot at 70<sup>th</sup> & Highway 2 (See Letter).
- \*4. Letter from Pat & Brenda Schmid - RE: The proposal for Home Depot at 70<sup>th</sup> & Highway 2 (See Letter).
- \*5. Letter from Bill Beck, Jr., Beck Construction - RE: The proposal for Home Depot at 70<sup>th</sup> & Highway 2 (See Letter).
- \*6. Letter from Patrick T. O’Brien, Butler, Galter, O’Brien, Boehm & Fritz Law Firm - RE: The Development Proposal for 70<sup>th</sup> & Highway 2 (See Letter).
- \*7. Letter from Connie Jensen, President, Jensen Money Management, Inc. - RE: In Support of the proposed commercial development at 70<sup>th</sup> & Highway 2 (See Letter).

- \*8. Letter from Gilbert G. Lundstrom, President & CEO, First Federal Lincoln Bank - RE: In Support of the proposed development at 70<sup>th</sup> & Highway 2 (See Letter).
- \*9. Letter from Christine Kiewra, President, Country Meadows Homeowner's Association - RE: Request that the Livingston proposal for a Change of Zone at 70<sup>th</sup> & Highway 2 scheduled to be heard by the City Council on 11/27/00 be delayed (See Letter).
- \*10. Letter from Jay Niebur - RE: Opposed to the proposed development at 70<sup>th</sup> & Highway 2 (See Letter).
- \*11. Letter from C. Glenn & Shirley Yurth - RE: In favor of the East & West Paving between 47<sup>th</sup> & 48<sup>th</sup> Streets and Prescott and Lowell (See Letter).
- \*12. Letter from Richard L. Goos, Attorney At Law - RE: Comprehensive Plan Amendment #94-52 (See Letter).
- \*13. Letter from Alene Swinehart, President, Irvingdale Neighborhood Association - RE: The neighbors tell her they DO care about aesthetic and are willing to work and make some sacrifices for the public good of having an attractive place to live, work and play (See Letter)(Council copies handed out to them on 11/20/00).
- \*14. Letter from Gene F. Ward, 2001 President, Realtors Association of Lincoln - RE: Primary Public Way Corridors (See Letter)(Council received copies on 11/20/00).
- \*15. Letter from James B. Gessford, - Perry, Guthery, Haase & Gessford, P.C., L.L.O., Attorneys At Law - RE: Pine Lake Road Right-of-Way Vacation (See Letter).
- \*16. Letter from Charles & Julee Lowe - RE: Proposed Sidewalk on South 38<sup>th</sup> Street (A to D Streets) (See Letter).
- \*17. Letter from Byron Yurth - RE: Alley Paving District - E/W, 47<sup>th</sup> St. to 48<sup>th</sup> St. - Lowell Ave. to Prescott Ave. (See Letter).
- \*18. Letter from Dale E. Runge - RE: Protest for the sidewalk on Northwest 8<sup>th</sup> Street (See Letter).
- \*19. MEDIA RELEASE from Lori Seibel, Community Health Endowment - RE: Applicant Workshops (See Release).
- \*20. CERTIFIED Letter from Nebraska Liquor Control Commission - RE: Notified that a rehearing will be held upon the application of Robert L. Frerichs dba Tobacco Store for a Class B License at 2633 Randolph St. – on Thursday, December 14, 2000 at 1:45 p.m. (See Certified Letter).

- \*21. Faxed Letter from Rich Wiese, Chair, West “O” Business Association - R.E. Wiese Enterprises - RE: In Support of the sidewalk district being created on each side of West “O” Street from NW 22<sup>nd</sup> to NW 27<sup>th</sup>, with NW 27<sup>th</sup> being the last city bus stop (See Letter).
- \*22. Letter - RE: DLA Maintenance District (See Letter).
- \*23. Letter & Pictures from James B. Luers, Wolfe, Snowden, Hurd, Luers & AHL Law Offices - RE: Sidewalk Public Hearing - 2646 West “O” Street (See Letter & Pictures).
- \*24. E-Mail from Carrie Stollar RE: Sidewalk Construction north of West A - Opposed.
- \*25. Letter from Roger Stubbs RE: Supporting Ashley Heights Development at NW 48<sup>th</sup> & West Huntington.
- \*27. 12 Post Card “SUPPORTS” for Home Depot Development at 70<sup>th</sup> & Highway 2
- \*28. E-Mail from Tracy Ray RE: Ambulance Purchase
- \*29. Notice of Public Hearing from the Saunders County Clerk (Tuesday, 12-5-00)
- \*30. Letter from Sue Harrold RE: Sidewalk Public Hearing Notice - Opposing the construction of sidewalks on the West side of South 44<sup>th</sup> St. from “L” to “N” Streets.
- \*31. Letter RE: Paving at 2508 NW 10<sup>th</sup> Street. - Opposed
- \*32. Letter from Steve and Claudia Russell RE: Pine Lake Subdivision - OPPOSED to the Commercialization of Southeast Highway 2.
- \*33. Letter from Sidnee Barrett RE: Ashley Heights Development at NW 48<sup>th</sup> & West Huntington - Supports.
- \*34. Letter from Mark Traynowicz RE: Proposed Development at SE Corner of 70<sup>th</sup> & Highway 2 - Supports.
- 35. Memo from Lori Seibel, Executive Director - Re: Community Health Endowment Board Meetings (See Memo).
- 36. E-Mail from Kay Stout (See E-Mail).
- 37. 8 Post Cards in Support & 14 Post Cards Opposed - RE: To the Home Depot being built at 70<sup>th</sup> & Highway 2 (See Post Cards).

38. 2 Format Letter in Support & 2 Format Letter Opposed - RE: To the proposed Ashley Heights development at NW 48<sup>th</sup> & West Huntington (See Letters).
39. E-Mail from Diane Schwab - RE: Opposed to the Home Depot/Strip Mall/Fast Food/Grocery Store building at S. 70<sup>th</sup> & Highway 2 (See E-Mail).
40. Faxed Material from Robert & Linda Wright - RE: Opposed to the construction of a sidewalk that is suggested by The Public Works Department - Fairfax Sub Lots 449 & 450 at 3945 S. 15<sup>th</sup> Street (See Letter).
41. E-Mail from Dave Temple II - RE: Sidewalk Paving (See E-Mail).
42. Letter from Elizabeth Petrakis - RE: Thank you and Rebuttal - proposed Sidewalks (See Letter).
43. Letter from Mr. F.W. Stephens - RE: Request for permit to sell beer in Pioneers Park (See Letter).
44. Letter from Shannon Hanke - RE: Supports the Home Depot project at 70<sup>th</sup> & Highway 2 (See Letter).
45. Letter from Kim Johnson - RE: The Sidewalk issue to include the East side of South 40<sup>th</sup> Street to Normal Boulevard (See Letter).
46. E-Mail from Robert Kann - RE: The Home Depot project at 70<sup>th</sup> & Highway 2 (See E-Mail).
47. E-Mail from Rich & Sue Tatum - RE: Supports the Home Depot project at 70<sup>th</sup> & Highway 2 (See E-Mail).
48. E-Mail from Deborah L. Ortega - RE: Ashley Heights Proposed Plan (See E-Mail).
49. Letter from Bob & Jane Cockerham - RE: Supports the Home Depot project at 70<sup>th</sup> & Highway 2 (See Letter).
50. E-Mail - RE: Ashley Heights Development (See E-Mail).
51. Letter from Kevin Reynolds, President, Polygon Corporation - RE: Writing as citizen and business owner to make you aware of a problem (See Letter).
52. Letter from Russell Miller - RE: Arnold Heights development at NW 48<sup>th</sup> & W. Adams (See Letter).
53. 4 E-Mail from Jeanette Fangmeyer - RE: Ashley Heights Addition to Arnold Heights (See E-Mail's).

54. Letter from Kenneth Kiewra, Country Meadows Resident - RE: Willowbrook Shopping Center (See letter).
55. Letter from Charles D. Humble, Law Office - RE: Ashley Heights (See Letter).
56. Letter from Ray Killian, President, R.E. Meyer - RE: Ashley Heights (See Letter).
57. Letter from Ray Killian, President, R.E. Meyer - RE: Ashley Heights (See Letter).

#### **IV. DIRECTORS**

#### **V. CITY COUNCIL MEMBERS**

#### **VI. ADJOURNMENT**

**\*HELD OVER FROM NOVEMBER 27, 2000.**



DIRECTORS' MEETING  
MINUTES  
MONDAY, DECEMBER 4, 2000  
CONFERENCE ROOM 113

**Council Members Present:** Jerry Shoecraft, Chair; Jeff Fortenberry, Vice-Chair; Coleen Seng, Jon Camp, Jonathan Cook, Annette McRoy, Cindy Johnson.

**Others Present:** Mayor Don Wesely, Mark Bowen, Jennifer Brinkman, Ann Harrell, Mayor's Office; Joan Ross, Deputy City Clerk; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Member Camp & Council Member Johnson; Tammy Bogenreif, City Council Staff, and Chris Hain, *Lincoln Journal Star* Representative.

**I. MAYOR**

Mayor Don Wesely stated to Council that he would publicly like to announce that Joan Ross will be the new City Clerk. Everyone clapped and congratulated Joan Ross. Mayor Wesely stated that there was a Selection Committee, which Ms. Seng represented the Council on and it was a tough decision and there were some excellent candidates. Mayor Wesely stated that Joan Ross has been doing a very good job for a long time and they feel that she has been doing an excellent job running the office. Mayor Wesely congratulated Joan Ross. Joan Ross thanked everyone. Mayor Wesely commented that they are excited about it.

Mayor Don Wesely stated to Council that the Willowbrook issue came up and he thinks they will be looking at it this afternoon, but they do have a draft before them instead of amendments that would take care of the compromise that they had on it. Mayor Wesely stated to Council that he really feels like they have a proposal that balances a number of interests and it resolved that, so they can move forward with it.

Mr. Shoecraft asked Mayor Wesely with that decision is there any other amendments that they don't know about because he doesn't want to get there today and there is something totally new and having someone proposing something that they didn't know about. Mayor Wesely stated to Mr. Shoecraft that the thing he has heard about is that the neighborhood continues to be interested in the setbacks and pad sites and he doesn't think they have anything on that. Mayor Wesely asked Kathleen Sellman if they have anything on it. Kathleen Sellman stated "no" not at this time.

Mr. Cook indicated that he has some specific points and he talked to Mark Hunzeker and the developer is willing to prohibit convenient stores completely along South 70<sup>th</sup> Street, rather than just saying they can't be 24 hours that they will eliminate them entirely. Mr. Cook stated that he thinks there is concern about convenient stores with bright lights and even if it is restricted from being 24 hours that there are convenient

stores that happen to be closed at night. But their gas pumps are still there and you can use a credit card to get gas, in order to provide security and for other reasons they do have incredible bright lights. Mr. Cook stated that on the other discussion and he thinks that Mark Hunzeker was going to get back to him on whether or not there should be any kind of general restriction on the property about 24 hour operations. Mr. Cook stated that one of the neighbors talked to him about Home Depot being 24 hours in other cities and he doesn't know what their operation is in other cities or if they would ever do that here, but the neighbors were concerned that this might happen. Mr. Cook stated that obviously the setbacks and the landscaping along 70<sup>th</sup> Street, that he knows the developer already is not putting any kind of driveways in that setback. Mr. Cook stated that he doesn't know if this group has any interest in eliminating the fast food restaurant that would be allowed. Mr. Cook stated that he wanted to check generally with the Planning Department or someone on if the parking lot lighting restriction could say that you have to turn off 2/3's of the lights at night. Mr. Cook indicated that he just wants to get this clarified.

Kathleen Sellman stated to Mr. Cook that she thinks at this time the only discussion has been about the Home Depot parking lot. Mr. Cook stated to Ms. Sellman okay, that this might be something they would want to look at because the pad sites are closer to the residents than the Home Depot parking lot. Mr. Shoecraft indicated to Mr. Cook that they have to have some security now. Mr. Cook stated that the security lights would be available, but 2/3's of the lights could be shut off at night and there still would be enough lighting to provide for security. Ms. Johnson stated that she thinks it would depend on what is there.

Mr. Cook stated to Council that he has just one last thought about the 0-3 issue, that by changing it to 0-3 and essentially giving up the use permit there, that they don't have control over the design guidelines for the office part. Mr. Cook stated that by eliminating the use permit on 0-3 that he thinks it's just opened for any kind of permit. Mr. Cook stated that he just wanted to note that if they go forward with just the 0-3 without the use permit, that they don't have that design control he assumes at the same level. Kathleen Sellman indicated to Mr. Cook that from her understanding the 0-3 requires the permit, but it is not being offered at this time. Mr. Cook commented that when they come back in they can potentially put those kind of design restrictions in place, but they would have a little less power to do it given that the 0-3 zones are there and they wouldn't have denial of the 0-3 zone available as a tool. Ms. Sellman stated to Mr. Cook that the denial of the 0-3 zone would not be a tool, but denial of the commitment would be a tool. Mr. Cook stated to Ms. Sellman okay and that he knows they have gotten into these discussions about the power they have to dictate certain things once they have the zoning in place. Mr. Cook indicated that he doesn't quite have a problem with that. Ms. Sellman stated to Mr. Cook that it is her understanding that the level of details is included in the permit approval, so whether it happens at this time or in the future that it doesn't change the amount of leeway that they have there.

Mayor Wesely stated to Council that the Subarea Plan will be before the Planning Commission he believes in January, and then it will come to them sometime after that. So again they will be dealing with that area. Mayor Wesely indicated to Council that this is the time table for this issue.

Mayor Wesely stated to Council that they have a meeting scheduled for this afternoon to discuss the Ashley Heights issue. Mayor Wesely stated to Council that they will talk about their offer to buy back the land and talk about what they are interested in doing regarding this issue. Mayor Wesely stated to Council that their hope is to sit down with the parties and figure out a way to approve it.

Ms. Johnson asked Kathleen Sellman if she could possibly attend the "Noon" Meeting today to discuss this issue for a few minutes. Ms. Sellman stated to Ms. Johnson that she could attend the "Noon" Meeting today.

Mr. Shoecraft stated to Mayor Wesely that they also were talking this morning about they would like to see a win-win situation on this issue and not force them to necessarily declare a loser because they both have some very interesting and complying points. So they are more likely, (that he can't speak for the entire Council) to consider putting this issue on Pending for a week or two to see if the two groups can come to a compromise on it and then come back with a decision. Mayor Wesely stated to Mr. Shoecraft that if they can give them a couple of weeks, that he really thinks they can pull something together on it. Mr. Shoecraft stated to Mayor Wesely okay. Mayor Wesely stated to Council that Marc Wullschleger will take the lead and try to work through it. Mayor Wesely stated to Council that they will work something out on it because he feels that it has great potential. Mayor Wesely indicated to Council so they have a meeting scheduled to discuss this issue.

Mayor Don Wesely stated to Council that he also knows that they are going to continue to talk about sidewalks.

Mayor Don Wesely stated to Council that a couple of things has happened in the last few days. Mayor Wesely stated to Council that the Warner's of Wetlands Bank donated money and it was a very generous donation by the Warner family. Mayor Wesely stated to Council that this project was announced and the Bison Trail was announced.

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- \*3. Memo from Ann Harrell - RE: CDBG funds availability. ---- NO COMMENTS
- 4. NEWS RELEASE - RE: Retailers Offer Flyers on Holiday Tree Recycling. --- NO COMMENTS
- 5. NEWS RELEASE - RE: Separation Of Yard Waste Ends December 1<sup>st</sup>. --- NO COMMENTS
- 6. NEWS ADVISORY - RE: Mayor Don Wesely will have a news conference at 2:00 p.m. Thursday, November 30<sup>th</sup> in Room 113 - The Mayor will discuss developments related to the proposed project at 70<sup>th</sup> Street & Highway 2. --- NO COMMENTS

## II. CITY CLERK

Deputy City Clerk Joan Ross stated to Council that on their Agenda for today, Items 2, 3 & 5 [Application of Wilderness Ridge, L.L.C. dba "Wilderness Ridge Golf Course" for a Class "C" liquor license at 1800 Box Canyon Circle; Manager application for Wilderness Ridge, L.L.C. dba "Wilderness Ridge Golf Course" at 1800 Box Canyon Circle; & Application of J.J. Kat, Inc. dba "Brewsky's Food & Spirits" for an addition to their licensed premises of an area measuring approximately 20' by 30' to the northwest on property located at 2840 South 70<sup>th</sup> Street] are up for Public Hearing and they went ahead and set the hearing date, but they do need to delay these items for one week. Deputy City Clerk Joan Ross stated to Council that they have been in touch with the applicants and they have no problem with having these items delayed.

Deputy City Clerk Joan Ross stated to Council that in regards to Item 18 [Setting hearing date for Monday, December 18, 2000 at 1:30 p.m. or soon thereafter, for the assessment on cost of weed removal incurred for the period of Jan. 1, 2000 through Dec. 31, 2000] they will need a motion to set the hearing date for this item.

Deputy City Clerk Joan Ross stated to Council that in regards to Items 35 & 36 [Creating Paving District 2619 in Gladstone St. from 35<sup>th</sup> to 36<sup>th</sup> Sts. & in 36<sup>th</sup> St. from Gladstone to Hartley Sts.; & Creating Paving District 2620 in N.W. 10<sup>th</sup> st. from W. Dawes to W. Belmont Sts.] they will have motions to amend for these two items.

Deputy City Clerk Joan Ross stated to Council that on page 9, under Upcoming Hearings, they need to set a hearing date for Pershing Auditorium [Hearing date of December 11, 2000 at 1:30 p.m. for SMG Food & Beverage LLC dba SMG Pershing Municipal Auditorium for a Retail Class C Liquor License with Catering at 226 Centennial Mall South & for Managers Application]. Deputy City Clerk Joan Ross stated

to Council that she was contacted by Doug Kuhnel and he asked if they could set the hearing date for December 18<sup>th</sup> instead of December 11<sup>th</sup>. Deputy City Clerk Joan Ross stated to Council that Mr. Kuhnel has a conflict with the time because he will be out of town.

Mr. Shoecraft stated to Mayor Wesely and Deputy City Clerk Joan Ross that there were two other candidates for the City Clerk's position that came within City Government and he was wondering who names the Deputy City Clerk now. Mr. Shoecraft stated that he was also wondering how the process will work. Deputy City Clerk Joan Ross stated to Mr. Shoecraft that this process has to go through the Personnel Department. Mr. Shoecraft commented that it would be nice to see those two that were highly qualified candidates be a possibility for the Deputy position. Deputy City Clerk Joan Ross stated to Mr. Shoecraft that actually the Council has to adopt a Resolution approving the Deputy City Clerk position oddly as it may seem, but that is what occurs. Mr. Shoecraft stated that it would be good for qualified candidates within City Government to have an opportunity to step up. Mr. Shoecraft noted to Deputy City Clerk Joan Ross that he knows they have to go through the process. Mr. Shoecraft asked Deputy City Clerk Joan Ross when will this process start because he knows they are just swapped over there. Deputy City Clerk Joan Ross stated to Mr. Shoecraft that she talked to Don Herz a little bit this morning about it and they have made a deadline of tomorrow and by next week they will try to have something for the Personnel Department.

Mr. Cook stated that he has a question about Item 9 [Approving the Restated Articles of Incorporation of Emergency Medical Services, Inc. as adopted by the Board of Directors of EMS] that is on their Agenda. Mr. Cook stated that it has a note on it about the legal terms saying for 3 years or whatever and he was wondering if that just applies to existing Board Members that carry over. Mr. Cook stated that he doesn't know how that works.

Jennifer Brinkman stated to Mr. Cook that the Board of EMS, Inc. passed these new Articles in the Corporation in September and essentially what it intends to do is create a position for Lancaster County Medical Society to have their very own. Ms. Brinkman stated to Council that they can see that in the Restated Article, but they provide needs to the Mayor for his appointment and for Council's approval. Ms. Brinkman stated to Mr. Cook that this did not exist before, but also take away the appointments that the Mayor would normally make and give it to the County Board, so they are staying in the EMS System process as well. Ms. Brinkman stated to Mr. Cook that she thinks what they have kind of worked out is that the current Board believes that having five of their members resign at the end of this year, would then provide an update for the Mayor to appoint there, the County Board to appoint their member, and for the Medical Society to have their person put on the board. Ms. Brinkman stated to Mr. Cook that she would not anticipate them changing any of the terms, that she thinks they would do what they do with any normal appointment which would be to have them fulfill an unexpired term by someone who has resigned. Mr. Cook thanked Ms. Brinkman for this information.

Mr. Shoecraft indicated to Ms. Brinkman that she mentioned the County participation and he was wondering if the County is going to participate financially. Ms. Brinkman stated to Mr. Shoecraft that she thinks that is a discussion that they have been talking about over the last several months and that they were doing some research on it. Ms. Brinkman indicated to Mr. Shoecraft what the County suggested was that they would like to see the EMS, Inc. Board, the City and the County get together to look at a plan for Emergency Medical Services. Ms. Brinkman stated to Mr. Shoecraft that this is her own general understanding of it and commented that she should not be quoted. Ms. Brinkman stated that the County Board would like to see all the County Rural Fire Districts used again and the same Medical Director. Ms. Brinkman indicated to Council that this has been the County Commissioners concern all along that they would like to see this happen, but they can not make them use the same Medical Director. So they hope that by bringing everybody together to discuss this issue and also at that time they would discuss the funding. Mr. Shoecraft asked Ms. Brinkman if the County Board requested to have an appointment. Ms. Brinkman stated to Mr. Shoecraft that "yes" they did. Mr. Shoecraft commented so they need to seriously step up to the plate financially. Mayor Wesely stated to Mr. Shoecraft that within their discussions with the County Board that he is exactly right. Ms. Brinkman stated to Council that she would also like to remind them that in the new contract that they signed, the hospitals, EMS Inc., and the City re-rated in the new contract that they would like to see a self-funding of the system take place and that the Board would exam that option as well over the next several years. So that none of the City, County or the hospitals will be participating financially. Mr. Shoecraft stated to Ms. Brinkman okay.

- \*1. Letter from Mark & Sonia Becher - brought over to Council Office by Deputy City Clerk Joan Ross on 11/21/00 - RE: Sidewalk Public Hearing Notice - property 1<sup>st</sup> ADD TO WEST LINCOLN BLOCK 31 LOTS 4, 5, & 6 EX STREET & N1/2 VAC ALLEY ADJ at 1025 W. Dawes Avenue has a small rental house on it — 00R-296. — NO COMMENTS
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### III. CORRESPONDENCE

#### A. COUNCIL REQUESTS

##### COLEEN SENG

1. OUTSTANDING Request to **Public Works Department** - RE: Gravel for alley - 4227 Madison Avenue (RFI#829 - 11/13/00). --- NO COMMENTS
2. OUTSTANDING Request to **Planning Department/Public Works Department** - RE: Does the City need to change the name of one of these "56" streets? (RFI#830 - 11/16/00). — NO COMMENTS
3. Received Response from Doug Srb, LPD regarding RFI#822 - RE: Complaint about junk or unlicensed vehicles at 2311 N. 56<sup>th</sup> Street (RFI#822-11/30/00). — NO COMMENTS

##### ANNETTE McROY

1. OUTSTANDING Request to **Law Department** - RE: Cars & Trucks driving on City streets that operate hydraulics systems (RFI#45 -5/05/00). — NO COMMENTS
2. OUTSTANDING Request to **Public Works & Utilities Department** - RE: The alley that runs 27<sup>th</sup> to 29<sup>th</sup>, Vine to Pear - the high volume of traffic (RFI#60 - 11/02/00). — NO COMMENTS
3. OUTSTANDING Request to **Public Works & Utilities Department** - RE: The smell from the Terresa Street Sewage Plant along 27<sup>th</sup> & Cornhusker is really bad (RFI#61 - 11/16/00). — NO COMMENTS
4. OUTSTANDING Request to LPD, Chief Casady/ **Law Department** - RE: To have bikes picked up by Police given to them for repairs and give away if no one claims them (RFI#62 - 11/16/00) — **1.) SEE RESPONSE FROM ASSISTANT CHIEF JIM PESCHONG, LPD RECEIVED ON RFI#62-11/20/00.** — NO COMMENTS

##### JON CAMP

1. OUTSTANDING Request to **Dana Roper, City Attorney** - RE: EMS Outside Consultants/Attorneys (RFI#51 - 9/28/00). — NO COMMENTS

2. **OUTSTANDING Request to the Public Works & Utilities Department - RE:** Turning lanes - 10<sup>th</sup> at “Q” & 9<sup>th</sup> at “P” (RFI#54 - 11/07/00). — Mr. Camp asked Allan Abbott how they are doing on this issue. Allan Abbott stated to Mr. Camp that Council should be getting a response to this Request For Information. Mr. Abbott stated to Mr. Camp that essentially they can make the change on 9<sup>th</sup> Street and they will be doing that very shortly, but 10<sup>th</sup> Street they still have some reservations because of where the lanes line up. So the response should well indicate that 9<sup>th</sup> Street can be changed, but 10<sup>th</sup> Street they want to look at it a little bit more. Mr. Camp thanked Mr. Abbott for this information.

Mr. Shoecraft stated to Mr. Abbott remember when he asked for a statement or the information from the past on why they chose not to do it when they had that fiasco back then. Mr. Shoecraft commented to Mr. Abbott don't get him wrong, that he is in agreement, but he just wants to know the reason why they initially said that it was not a good idea. Mr. Abbott stated to Mr. Shoecraft that Rick Haden had some concerns about not having enough through lanes, that the traffic would be backed up more if they tried to make that a left turn lane, then if they made it a through lane. Mr. Abbott stated to Mr. Shoecraft that what they have said now is that they have looked at it and with the experience of getting the garage opened and getting everything else opened that it did not prove that it was a problem as they anticipated, so they are able to make the turn now. Mr. Abbott stated that the second lane in is the one they are allowing to make a left turn, which will be an option through or left. Mr. Abbott stated to Mr. Shoecraft that there was a lot of things going on in that area at the time and now that it has settled down a little bit that they are comfortable that they can make it on 9<sup>th</sup> Street. Mr. Cook asked Mr. Abbott, so that second lane in, will not be a left turn on red. Mr. Abbott stated to Mr. Cook that is correct. Mr. Shoecraft stated to Mr. Abbott that he doesn't now if they are going to have that understanding because even when you come over the vi-dock getting on 9<sup>th</sup> Street (coming east of the vi-dock) and your going to turn right on 9<sup>th</sup> Street that they have those dual right turns and people don't wait. Mr. Shoecraft stated to Mr. Abbott that people turn in both lanes whether the light is red. Mr. Abbott stated to Mr. Shoecraft that again, he said “yes” because the first lane is a choice lane, that he is going to have to check with Chief Casady and find out what they can do with the dual left on red. Mr. Abbott stated that it is difficult to sign “No left turns” by red in this lane because then pretty soon they have nothing but signs up there, which conflicts with the Entryway Corridor and which then conflicts with a lot of other things. Mr. Cook asked Mr. Abbott if there was any thought of putting a “No left turn” on a red sign for safety purposes because of the extra lane and the sign that would apply to the curb lane as well. Mr. Cook stated that he would be totally opposed to this change because he thinks the left turns on red in that area is a fabulous thing because that is one of the advantages of having a one-way street. Mr. Abbott stated to Mr. Cook that he will check it out. Mr. Abbott stated to Council that he would have to check on the second lane. Mr. Shoecraft stated to Mr. Abbott okay.



3. OUTSTANDING Request to **Public Works & Utilities Department** - RE: To pave 7<sup>th</sup> Street from “O” Street south to “N” Street (RFI#55 - 11/16/00). — NO COMMENTS
4. Letter from Jon Camp to Gary Danek, Pioneer/Mar-Ma-Ra-Lo Heights Home Owners Association Richard Speidell - RE: Development Issues. — NO COMMENTS

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **FINANCE**

1. Material from Don Herz - RE: Resolution & Finance/Treasurer of Lincoln, NE - Investments Purchased Beginning - November 27, 2000. — NOTED WITHOUT COMMENTS

### **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Safety Around Squirrels and Other Wild Animals. — NOTED WITHOUT COMMENTS
2. NEWS RELEASE - RE: Winter Shelter For Animals. — NOTED WITHOUT COMMENTS

### **LIBRARY**

- \*1. Memo to Library Board from P.E. Jones RE: Recap of Expenditures-September, 2000. — NOTED WITHOUT COMMENTS
- \*2. October, 2000 - Director’s Report. — NOTED WITHOUT COMMENTS
3. NEWS RELEASE - RE: Library Adds Access To E-Books. — NOTED WITHOUT COMMENTS

### **PLANNING**

- \*1. Memo from Jean Walker - RE: Comprehensive Plan Amendment No. 94-52 (00R-317) - Annexation No. 00001 (00-212) - Change of Zone No. 3248 (00-213) - Special Permit No. 1833, Ashley Heights CUP (00R-318) - Preliminary Plat No. 00005, Ashley Heights (00R-319) - (N.W. 48<sup>th</sup> & W. Adams Street). — NOTED WITHOUT COMMENTS

- \*2. Planning Commission Agenda Item Map of November 29, 2000. — NOTED WITHOUT COMMENTS
- 3. Material from Allan Abbott & Kathleen Sellman - RE: Infrastructure Financing Study Summary (Material for the Pre-Council Meeting scheduled for 12/4/00 at 10:30 a.m.) (Council copies placed in their Thursday packets on 11/30/00) (Copy of this material is on file in the City Council Office). — NOTED WITHOUT COMMENTS

#### **PLANNING COMMISSION FINAL ACTION .....**

- \*1. Special Permit No. 1878 (Personal wireless facility - So. 16<sup>th</sup> Street and Windhoek Drive) Resolution No. PC-00649. — NO COMMENTS
- \*2. Special Permit No. 1875 (Personal Wireless Facility - 52<sup>nd</sup> & Cooper Avenue) Resolution No. PC-00645. — NO COMMENTS
- \*3. Special Permit No. 1885 (Scrap metal processing - 5510 N.W. 39<sup>th</sup> Street) Resolution No. PC-00645. — NO COMMENTS
- \*4. Final Plat No. 00034 - South Street Business Park Addition (South Folsom and West South Street) Resolution No. PC-00648. — NO COMMENTS
- \*5. Final Plat No. 99053 - Northern Lights 8<sup>th</sup> Addition (North 80<sup>th</sup> & Holdrege) Resolution No. PC-00647. — NO COMMENTS

#### **PUBLIC WORKS & UTILITIES DEPARTMENT**

- 1. Letter from Scott Opfer to Michael Carpenter, President, Lincoln Haymarket Development Corporation - RE: Request for “4-Way Stop” signs at 8<sup>th</sup> & “P” Street. — NOTED WITHOUT COMMENTS

#### **C. MISCELLANEOUS**

- \*1. 44 Post Cards - RE: In Support of Home Depot development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*2. 12 Format Letters - RE: In Support of the proposed Ashley Heights development at NW 48<sup>th</sup> & West Huntington. — NO COMMENTS

- \*3. Letter from Terry Zimmerman - RE: The proposal for Home Depot at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*4. Letter from Pat & Brenda Schmid - RE: The proposal for Home Depot at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*5. Letter from Bill Beck, Jr., Beck Construction - RE: The proposal for Home Depot at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*6. Letter from Patrick T. O'Brien, Butler, Galter, O'Brien, Boehm & Fritz Law Firm - RE: The Development Proposal for 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*7. Letter from Connie Jensen, President, Jensen Money Management, Inc. - RE: In Support of the proposed commercial development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*8. Letter from Gilbert G. Lundstrom, President & CEO, First Federal Lincoln Bank - RE: In Support of the proposed development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*9. Letter from Christine Kiewra, President, Country Meadows Homeowner's Association - RE: Request that the Livingston proposal for a Change of Zone at 70<sup>th</sup> & Highway 2 scheduled to be heard by the City Council on 11/27/00 be delayed. --- NO COMMENTS
- \*10. Letter from Jay Niebur - RE: Opposed to the proposed development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*11. Letter from C. Glenn & Shirley Yurth - RE: In favor of the East & West Paving between 47<sup>th</sup> & 48<sup>th</sup> Streets and Prescott and Lowell. — NO COMMENTS
- \*12. Letter from Richard L. Goos, Attorney At Law - RE: Comprehensive Plan Amendment #94-52. --- NO COMMENTS
- \*13. Letter from Alene Swinehart, President, Irvingdale Neighborhood Association - RE: The neighbors tell her they DO care about aesthetic and are willing to work and make some sacrifices for the public good of having an attractive place to live, work and play (Council copies handed out to them on 11/20/00). — NO COMMENTS
- \*14. Letter from Gene F. Ward, 2001 President, Realtors Association of Lincoln - RE: Primary Public Way Corridors(Council received copies on 11/20/00). — NO COMMENTS

- \*15. Letter from James B. Gessford, - Perry, Guthery, Haase & Gessford, P.C., L.L.O., Attorneys At Law - RE: Pine Lake Road Right-of-Way Vacation. --- NO COMMENTS
- \*16. Letter from Charles & Julee Lowe - RE: Proposed Sidewalk on South 38<sup>th</sup> Street (A to D Streets). — NO COMMENTS
- \*17. Letter from Byron Yurth - RE: Alley Paving District - E/W, 47<sup>th</sup> St. to 48<sup>th</sup> St. - Lowell Ave. to Prescott Ave. — NO COMMENTS
- \*18. Letter from Dale E. Runge - RE: Protest for the sidewalk on Northwest 8<sup>th</sup> Street. — NO COMMENTS
- \*19. MEDIA RELEASE from Lori Seibel, Community Health Endowment - RE: Applicant Workshops. ---NO COMMENTS
- \*20. CERTIFIED Letter from Nebraska Liquor Control Commission - RE: Notified that a rehearing will be held upon the application of Robert L. Frerichs dba Tobacco Store for a Class B License at 2633 Randolph St. – on Thursday, December 14, 2000 at 1:45 p.m. — NO COMMENTS
- \*21. Faxed Letter from Rich Wiese, Chair, West “O” Business Association - R.E. Wiese Enterprises - RE: In Support of the sidewalk district being created on each side of West “O” Street from NW 22<sup>nd</sup> to NW 27<sup>th</sup>, with NW 27<sup>th</sup> being the last city bus stop . --- NO COMMENTS
- \*22. Letter - RE: DLA Maintenance District. — NO COMMENTS
- \*23. Letter & Pictures from James B. Luers, Wolfe, Snowden, Hurd, Luers & AHL Law Offices - RE: Sidewalk Public Hearing - 2646 West “O” Street. — NO COMMENTS
- \*24. E-Mail from Carrie Stollar RE: Sidewalk Construction north of West A - Opposed.— NO COMMENTS
- \*25. Letter from Roger Stubbs RE: Supporting Ashley Heights Development at NW 48<sup>th</sup> & West Huntington. — NO COMMENTS
- \*26. **NO CORRESPONDENCE FOR \*26 — \*26 MISSED**
- \*27. 12 Post Card “SUPPORTS” for Home Depot Development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- \*28. E-Mail from Tracy Ray RE: Ambulance Purchase. — NO COMMENTS

- \*29. Notice of Public Hearing from the Saunders County Clerk (Tuesday, 12-5-00). — NO COMMENTS
- \*30. Letter from Sue Harrold RE: Sidewalk Public Hearing Notice - Opposing the construction of sidewalks on the West side of South 44<sup>th</sup> St. from “L” to “N” Streets. — NO COMMENTS
- \*31. Letter RE: Paving at 2508 NW 10<sup>th</sup> Street. - Opposed. — NO COMMENTS
- \*32. Letter from Steve and Claudia Russell RE: Pine Lake Subdivision - OPPOSED to the Commercialization of Southeast Highway 2. — NO COMMENTS
- \*33. Letter from Sidnee Barrett RE: Ashley Heights Development at NW 48<sup>th</sup> & West Huntington - Supports. — NO COMMENTS
- \*34. Letter from Mark Traynowicz RE: Proposed Development at SE Corner of 70<sup>th</sup> & Highway 2 - Supports. — NO COMMENTS
- 35. Memo from Lori Seibel, Executive Director - Re: Community Health Endowment Board Meetings. — NO COMMENTS
- 36. E-Mail from Kay Stout. — NO COMMENTS
- 37. 8 Post Cards in Support & 14 Post Cards Opposed - RE: To the Home Depot being built at 70<sup>th</sup> & Highway 2. — NO COMMENTS
- 38. 2 Format Letter in Support & 2 Format Letter Opposed - RE: To the proposed Ashley Heights development at NW 48<sup>th</sup> & West Huntington. — NO COMMENTS
- 39. E-Mail from Diane Schwab - RE: Opposed to the Home Depot/Strip Mall/Fast Food/Grocery Store building at S. 70<sup>th</sup> & Highway 2. — NO COMMENTS
- 40. Faxed Material from Robert & Linda Wright - RE: Opposed to the construction of a sidewalk that is suggested by The Public Works Department - Fairfax Sub Lots 449 & 450 at 3945 S. 15<sup>th</sup> Street. — NO COMMENTS
- 41. E-Mail from Dave Temple II - RE: Sidewalk Paving. — NO COMMENTS
- 42. Letter from Elizabeth Petrakis - RE: Thank you and Rebuttal - proposed Sidewalks. — NO COMMENTS
- 43. Letter from Mr. F.W. Stephens - RE: Request for permit to sell beer in Pioneers Park. — NO COMMENTS

44. Letter from Shannon Hanke - RE: Supports the Home Depot project at 70<sup>th</sup> & Highway 2. — NO COMMENTS
45. Letter from Kim Johnson - RE: The Sidewalk issue to include the East side of South 40<sup>th</sup> Street to Normal Boulevard. — NO COMMENTS
46. E-Mail from Robert Kann - RE: The Home Depot project at 70<sup>th</sup> & Highway 2. --- NO COMMENTS
47. E-Mail from Rich & Sue Tatum - RE: Supports the Home Depot project at 70<sup>th</sup> & Highway 2. — NO COMMENTS
48. E-Mail from Deborah L. Ortega - RE: Ashley Heights Proposed Plan. — NO COMMENTS
49. Letter from Bob & Jane Cockerham - RE: Supports the Home Depot project at 70<sup>th</sup> & Highway 2. — NO COMMENTS
50. E-Mail - RE: Ashley Heights Development. — NO COMMENTS
51. Letter from Kevin Reynolds, President, Polygon Corporation - RE: Writing as citizen and business owner to make you aware of a problem. — Mr. Fortenberry asked Allan Abbott if he has seen this letter from Polygon Corporation regarding the Ampco Parking. Mr. Abbott stated to Mr. Fortenberry that “yes”, he has seen this letter. Mr. Abbott stated to Mr. Fortenberry that he can talk to them a little bit about it. Mr. Abbott stated to Mr. Fortenberry that he has a response letter with him in regards to this issue. Mr. Abbott stated to Council that he will pass the response letter out to them. [Handed out material to Council - Copy of it is on file in the City Council Office]. Mr. Abbott stated to Council that he will be getting back with Kevin Reynold’s to explain it to him.
52. Letter from Russell Miller - RE: Arnold Heights development at NW 48<sup>th</sup> & W. Adams. — NO COMMENTS
53. 4 E-Mail from Jeanette Fangmeyer - RE: Ashley Heights Addition to Arnold Heights. — NO COMMENTS
54. Letter from Kenneth Kiewra, Country Meadows Resident - RE: Willowbrook Shopping Center. — NO COMMENTS
55. Letter from Charles D. Humble, Law Office - RE: Ashley Heights. — NO COMMENTS

56. Letter from Ray Killian, President, R.E. Meyer - RE: Ashley Heights. — NO COMMENTS
57. Letter from Ray Killian, President, R.E. Meyer - RE: Ashley Heights. --- NO COMMENTS

## **ADDENDUM**

### **I. MAYOR**

1. NEWS ADVISORY - RE: Mayor Don Wesely will take part in a dedication ceremony for the new parking lot and streetscape improvements at the Bottlers Building at 2:00 p.m. on Friday, December 1, 2000 . — NO COMMENTS
2. NEWS RELEASE - RE: Mayor Announces Compromise For 70<sup>th</sup> & Highway 2. — NO COMMENTS
3. NEWS RELEASE - RE: Improvements Dedicated at Bottlers Building. — NO COMMENTS
4. NEWS ADVISORY - RE: Mayor Don Wesely will present a key to the city to Mary Jean Higgins at 1:00 p.m., Monday, December 4<sup>th</sup> during a school assembly at Park Middle School. — Mr. Shoecraft noted that this News Advisory is scheduled for today. Mayor Wesely stated to Council that Mary Jean Higgins is the one who helped pull the boy from underneath a train in October.

### **II. CITY CLERK - NONE**

### **III. CORRESPONDENCE**

#### **A. COUNCIL REQUESTS - NONE**

#### **B. DIRECTORS AND DEPARTMENT HEADS**

#### **FINANCE**

1. Memo from Don Herz - RE: Pleased to announce that Joan Ross has been hired to fill the position of City Clerk effective on December 7, 2000(Council received their copies of this memo in the morning of 12/4/00) . — NO COMMENTS

**C. MISCELLANEOUS**

1. 11 Post Cards in “SUPPORT” & 8 Post Cards “OPPOSED” - RE: To the Home Depot being built at 70<sup>th</sup> & Highway 2. — NO COMMENTS
2. Letter from George W. Hancock, FMA Realty, Commercial Real Estate Services - RE: The Ashley Heights Development. — NO COMMENTS
3. E-Mail from Bob Rutledge - RE: The Home Depot development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
4. E-Mail from Kim Boone - RE: Supports the development of the Ashley Heights Addition to the Arnold Heights area. — NO COMMENTS
5. Letter & Material from KR Ward & Michael L. Wood - RE: Their request to create the new Paving District 2620, on Northwest 10<sup>th</sup> from Dawes to Belmont. — NO COMMENTS
6. E-Mail from Mark & Alison Traynowicz - RE: The 70<sup>th</sup> & Highway 2 development. — NO COMMENTS
7. Letter from Terry Schwimmer - RE: The proposed Ashley Heights development. — NO COMMENTS
8. Two E-Mail’s from Jeanette Fangmeyer - RE: Ashley Heights Addition to Arnold Heights. — NO COMMENTS
9. E-Mail from Jim Lacy - RE: Supports the proposed development at Highway 2 & 70<sup>th</sup> Street. — NO COMMENTS
10. Three E-Mail’s - RE: In Support of the Ashley Heights development at NW 48<sup>th</sup> & W. Hunington St. — NO COMMENTS
11. Letter from American Citizens - RE: The proposed development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
12. Faxed Letter from John & Mildred Gustafson - RE: No need for having a sidewalk on Glade Street from 48<sup>th</sup> to 52<sup>nd</sup>. — NO COMMENTS
13. Letter from Barbara Schliesser - RE: The proposed Home Depot development at 70<sup>th</sup> Street & Highway 2. — NO COMMENTS



14. Letter from Don & Mary Kuhn - RE: The proposed Home Depot development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
15. Letter from Jim Barger, President/Construction Group, Landscapes Unlimited, LLC - RE: The proposed Home Depot development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
16. Letter from Kathleen Batterman - RE: The proposed Home Depot development at 70<sup>th</sup> & Highway 2. — NO COMMENTS
17. E-Mail from Roger Spiehs - RE: Special Assessment #00R-296. — NO COMMENTS
18. 5 E-Mail's - RE: The proposed Ashley Heights development. — NO COMMENTS
19. 5 E-Mail's - RE: The proposed Home Depot development at 70<sup>th</sup> & Highway 2. — NO COMMENTS

Mr. Shoecraft asked if he can get some comments from staff real quick before he asks the Directors if they have anything to share with Council. Mr. Shoecraft stated that in regards to the Paving District on N.W. 10<sup>th</sup> Street where he thinks a hotel is going in there that he has been getting phone calls about this issue. Mr. Shoecraft indicated that this paving needs to happen. Mr. Shoecraft stated that he doesn't know how the Council feels about this issue and asked staff if they have any comments on this issue.

Roger Figard stated to Mr. Shoecraft that he thinks the developer is certainly within his right to ask for the paving that way and have the abounding property share in the cost. Mr. Figard stated to Council that it is kind of tough when that happens because you have residential on the other side and if they deny it or don't create the paving district they either have to wait or try to find some other way to perhaps pave it. Mr. Figard stated to Council that if they do create it, that he thinks they end up with the majority of the frontage. Mr. Shoecraft asked Mr. Figard that don't they have to pay like 50% of it. Mr. Figard stated to Mr. Shoecraft that with the vacation of West Nance, they'll have more than 50% of the frontage, which will mean they'll have a majority of the petition. Mr. Figard stated to Mr. Shoecraft that they will still have the right not to order construction. Mr. Shoecraft stated to Mr. Figard that what he is saying is that their cost will only be about 50% of the cost. Mr. Figard stated to Mr. Shoecraft that "yes", it will be a little over 50%. Mr. Figard stated to Mr. Shoecraft that the other thing they tried to do was make it less difficult, that it would be commercial or collector wide. But they would only assess the equivalent cost of a 27 foot residential against the properties that have residential on them today (not zoned residential) to try to reduce the cost impact a little bit.

Mr. Fortenberry stated that it looks to be, that he is guessing because he didn't see it, but it looks to be a significant burden imposed on the residents that are now there without paying for responding input because it becomes a benefit if primarily commercial. Mr. Fortenberry stated that he thinks the off setting would be a good thing to encourage for commercial use there. Mr.

Fortenberry indicated to Mr. Figard if he remembers correctly the total cost of this project is about \$125,000. Mr. Figard stated to Mr. Fortenberry that he doesn't remember the number. Mr. Fortenberry stated to Mr. Figard that the other two residents right there, the other properties abounding that street are commercial zoned and he was wondering if that is what he heard him say. Mr. Figard stated to Mr. Fortenberry that some of it that does have homes on it is commercially zoned, but they will not assess them at the commercial rate. Mr. Fortenberry stated to Mr. Figard if it is only two residents how far does the assessment go back on that particular street. Mr. Figard indicated that it goes half way back to the next street, so a half a block to the east and to the west. Mr. Fortenberry stated to Mr. Figard that what might be helpful here is to see if those two residential properties qualify under the CDBG and if the rest are commercial zones then he thinks they may be okay. Mr. Figard stated to Mr. Fortenberry that they did send out the letters to those properties to have them contact Urban Development. Mr. Figard stated to Mr. Fortenberry that there is a level of privacy in which they have been asked not to try to find out. Mr. Figard stated that the motions to amend for today is to create them under the provision of the low income paving systems program, so if someone does qualify than the assistants is there from Urban Development. Mr. Fortenberry stated to Mr. Figard that on the map he gave him last week, that he doesn't think he designated the other properties that are commercial off that street. Mr. Figard indicated to Mr. Fortenberry that he didn't have it with him at that time. Mr. Figard stated to Mr. Fortenberry that he can try to have it to him by 1:30 p.m. today. Mr. Fortenberry stated to Mr. Figard okay and thanked him.

#### **IV. DIRECTORS**

**HEALTH DEPARTMENT** - Leon Vinci stated to Council that he will start with infectious diseases. Leon Vinci stated to Council that as they know they are ahead of the flu season, which is good news and they have an sufficient quantity to schedule the public clinic in which they did. Mr. Vinci stated to Council that it accomplished the fact that because they were about a month late, they got a whole bunch of people early and there were even lines in the clinic today with some people who knew that they could come into the office during the week now and get their shots. Mr. Vinci stated to Council that they are getting continued shipments over the next few weeks and they should be alright from here on end. Mr. Vinci stated to Council that again they are far enough ahead of the curb that there would not be a problem for people to get their vaccine shots and be protected against the influenza when the flu season does really hit them. Mr. Vinci stated that in the mean time they have already given the vaccine shots to Emergency providers, Fire, Police and Public Health Nurses. So, they are pretty much where they should be, even though, generally speaking and nation wide that the flu vaccine hasn't been available as they would have liked it to be.

Leon Vinci stated to Council that they talked a while back about Shigellosis (Shigella) being in a couple of child-care facilities and that has been held in check. Mr. Vinci stated to Council that they have a person who works for a food facility who came down with Hepatitis A, which is highly infectious and they are working with those groups that may or may not have been exposed to it. Mr. Vinci stated to Council that there is also another organism called "Staff" and they have a out break with it too, so they have been busy.

Leon Vinci reminded Council that on January 9<sup>th</sup> is the Board of Health Annual Meeting & Awards Ceremony and a dinner and on January 10<sup>th</sup> is the Mayor's Conference on Children's Health called "Healthy Kids 2010" which is for children's health and environmental exposures.

## **V. CITY COUNCIL MEMBERS**

### **JON CAMP**

Mr. Camp asked Chief Spadt how things are going on the routine service for the ambulances. Chief Spadt stated to Mr. Camp that they are busy putting everything together, that they have all of their providers hired, they are going through training right now and orientation for the Fire Department. Chief Spadt stated that they are exploring a short-term agreement to the Internal, while they are waiting for the ambulances and they are also having discussions regarding the facility situation right now. Mr. Camp asked Chief Spadt if there is somebody that can do the routine yet. Chief Spadt stated to Mr. Camp that they are exploring options at this time.

### **COLEEN SENG - NO COMMENTS**

### **JEFF FORTENBERRY**

Mr. Fortenberry stated to Chief Casady that he was at 27<sup>th</sup> & "O" Street and the Special Police Service System Unit had the lights all flushing and he was wondering how that works. Mr. Fortenberry stated to Chief Casady that it caused a lot of confusion, that he pulled up in the intersection and stopped and he saw the Police lights and the officer waved him on. Chief Casady indicated to Mr. Fortenberry that the officer had absolutely no legal standing what so ever, that it is just like if it was a wreck or a tow truck. Chief Casady indicated to Mr. Fortenberry that it is illegal to use rotating red and blue lights on anything other than an emergency vehicle. Mr. Fortenberry stated to Chief Casady that is what it was. Chief Casady thanked Mr. Fortenberry for telling him about it. Mr. Fortenberry stated that he just thought it was peculiar that they would flash that light.

Mr. Fortenberry stated to Chief Casady that he would like to talk with him after the Director's Meeting today.

Mr. Fortenberry stated to Kathleen Sellman that he would also like to talk with her after the Director's Meeting today.

**CINDY JOHNSON - NO COMMENTS**

**ANNETTE McROY - NO COMMENTS**

**JONATHAN COOK**

Mr. Cook stated that he would like to have Kathleen Sellman at the “Noon” Meeting today, so they can discuss the 70<sup>th</sup> & Highway 2 issue.

Mr. Cook stated that he would like to talk with the Mayor after the Director’s Meeting today.

**JERRY SHOECRAFT - NO COMMENTS**

**VI. MEETING ADJOURNED AT 11:52 A.M.**

**\*HELD OVER FROM NOVEMBER 27, 2000.**

DM120400/tjb